[*Note.*—**An asterisk (*) at the commencement of a speech indicates revision by the Member.**]

II. ANNOUNCEMENT. *re*-MESSAGE FROM THE ASSEMBLY

MR. CHAIRMAN : I have to announce to the House that I have received a message, dated 22nd August 1961, from the Deputy Speaker, Legislative Assembly, transmitting a copy of the Madras Preservation of Private Forests (Amendment) Bill, 1961 (L.A. Bill No. 25 of 1961), as passed by the Assembly, on the 22nd August 1961, for the concurrence of the Council. 3·20 p.m.

III. ADJOURNMENT MOTION *re* DELIMITATION OF COUNCIL CONSTITUENCIES (MADRAS) ORDER, 1961.

MR. CHAIRMAN : I have received notice of a motion given by Sri Mohamed Raza Khan for the adjournment of the business of the House to discuss a definite matter of urgent public importance, namely, the failure of the Government to consult the House before advice was tendered to the President of India in the matter of amendment to the Delimitation of Council Constituencies (Madras) Order, 1961, and also the failure of the Government to give correct advice in regard to the allocation of the sitting Members to the newly delimited constituencies.

The matter to be discussed is no doubt a definite matter of public importance. But section 12 of the Representation of the People Act constitutes the President of India as the sole and final authority empowered to alter or amend by order from time to time any order of delimitation of constituencies made under section 11. This section further empowers the President to allocate any sitting member to any of the newly delimited constituencies. It requires only that before such an order is made, the President shall consult the Election Commission. It is not laid down that the President shall, before such an order is made, consult the State Government or that the State Government shall consult the House concerned. In other words, it is not statutorily obligatory on the part of the President to consult the State Government concerned or the State Government to consult the House.

Such being the legal position, if at all the State Government is consulted, it is not because it is obligatory, but perhaps because of expediency or convenience. The State Government may informally consult the House before they make any representations but they are not bound to consult.

This being so, the responsibility of the State Government to consult the House is not established. Further, a starred question on the above subject given notice of by Dr. A. Sreenivasan has been admitted and communicated to the Department. The question is likely to be answered in the course of this meeting and hon. Members will have ample opportunity to elicit full and further information they require on this matter.

For these reasons, I rule the motion out of order.